THE ALAMANCE GLEANER.

## VOL. XXVII.

Business

Lowney's and

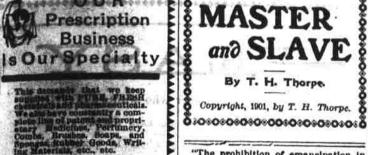
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test and dusht part degenered



"The prohibition of emancipation in the state does not apply to the acquisi-HEADQUAR TERS tion of freedom by prescription, as provided by article 3510 of the civil code. FOR FINE CIGARS This article is not repealed by the statute of 1857. They are not upon the same subject matter. The slave after the prescriptive time must be free, and he becomes subject to the laws relative to free persons of color, for if the master cannot claim him he is free.

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printeness of any speech or communication between you and me on the subfor which I labored." Estelle lowered her head and held silence lest attempted reply should betray her agitation and her adoration of this man. She felt sorely the loss of a

"The intention of the heirs of Queyrouse to allow this plaintiff to enjoy his iberty is clearly established. This is sufficient, especially where the contest is with a mere usurper, with one who got possession of the plaintiff under the pretense of affection, of being his godfather and in order to enable him to see his mother. One who could thus act ought not to have the favorable consideration of a court of justice in

his attempt to reduce to slavery one over whom he has no right but that of the strong over the weak. He got possession of him under false pretenses and should be allowed to derive no benefit from a possession obtained by treachery and from a control over the plaintiff exercised without permission from his master or heirs. "In such a contest the technical rules of law ought to be construed with as much rigidity in favor of as against him whose only hope is in the protect

tion the courts of the state can afford "I am therefore of the opinion that the judgment must be in favor of the freedom of the plaintiff against the defendant, and it is so ordered, adjudged

and decreed." Those nearest Oakfell shook his hand warmly. Pratjean held a handkereblef over his lips, and his eyes could scarcely be seen. Quillebert all but foamed at the mouth and glared viciously, murderously, at his adversaries. During the delivery of the judgment 12 of the sheriff's deputies, whom every one knew to be heavily armed, though their weapons were not expos ed, took positions in the crowded aisle. When the last words of the decree fell from the judge's lips, 300 men, madtrade and its good will she doubtless will succeed as forced beir of her grand

The judge arose and in a voice which The Land of the Sky.

preciate. It follows that they would not be proper judges of the approject. As for me, the result would have been maimed without your expressions of satisfaction. They were the rewards

mother's training, which so effectually

habituates the creole girl to still the maldenly sentiments. "My brother has not seemed to join in the general rejoicings of my friends," Oakfell romarked, to the great relief of the embarrassed girl. "But he is also somewhat of a recluse, a poet and dreamer, who loves to view men and their affairs from a height. Of late I have feared his health was impaired and have suggested to him to spend the coming summer in the mountains of

Virginia. He does not take to the idea. however, and expresses a reluctance to going away from the plantation " "I, too, have noticed his changed ap-

pearance and manner. Formerly he came often to our house; now I seldom see him, and then he appears almost unfriendly. Maybe he is in love, or maybe I have offended him." Estelle suggested.

"Not the latter, I am certain," said Oakfell, "and I do not think the former, but if such should be the case I wonder who can be the happy demoiselle ?" "I could not guess," replied Estelle,

"but I do know one who ardently admires him." "Who is she?" "Laure Luneau. She was very jeal-

ous of the friendly visits M. Evariste formerly paid to me. Alas, she has no

cause for jealousy now!" "Do you regret it?" asked Oakfell, alarmed

urprised

Evariste." "I regret that he visits me so sel dom, but not the other." Estelle, with womanly instinct, perceived that the sting of jealousy had momentarily thrown Oakfell off his guard, and she reloiced in this as the beginning of proof that he loved her. "But why do

you call Laure a gypsy?" she queried. "I should not have done so," Oakfell admitted, "but suppose the thought rose from her black and brown style of beauty and her connection with the uncauny fame of the doctress, to whose

dened with excitement, leaped to their mother.' "Not Laure," laughed Estelle. "Rell-

arrested the movements of all said: "My friends, I am not unaware of the extraordinary feeling that has been engendered by this suit. But there must be no violent manifestation. All must

> to those who could not buy i relief from the dectors." "I speak irreverently of nothing that is honestly meant, however mistaken it your avouchin

> > ous as bis frown."

hurtful intimacy."

my grandfather my."

you doubt it. Mr. Oakfell?"

gion sits too lightly on her. The doc

tress must be duly religious. You must

not speak irreverently of the doctress

Mother Deshautelles, for she is kind to

therefore, mademoiselle, could not ap-"This is very pleasing to my feelings, Odette, for I know it proceeds from a true and honest heart, but understand that every obligation to me can be discharged by your love and fidelity to your mistress."

"My mistress!" Odette exclaimed, springing to Estelle's side. "Love my mistress! I would gladly die for her 20 times a day. Love my mistress! Why, she is my religion. It may be wicked, but when I kneel and close my eyes and pray to the Mother of God It is only the sweet image of my mistress I see. There is but one angel on the

earth, and that is my mistress." "Hush, Odette, you silly girl," said istelle. "Mr. Oakfell will think I Estelle. teach you such nonsense."

"Indeed he will not, my mistress, Odette replied, "for he must see you just as I do, because he is not blind, and he is white and educated and smart."

Both laughed at this ratiocination and welcomed it as a diversion from what had threatened another embarrassing situation. Oakfell prepared to take his leave when Odette said:

"Mistress, may I ask Mr. Oakfell a question ?" "Certainly, Odette, unless Mr. Oak-

fell objects." "I am sure I do not." be said.

"It is this," Odette's voice faltered-"can Leon come back now without dan-

"Yes," Oakfell replied. "Quillebert's appeal does not suspend the judgment" --addressing Estelle-"and pending the appeal I do not believe he would dare to offer injury to Leon, who could live on my plantation until the suit is ended. Do you know where he is?' he in

quired of Odette. "I can get a word to him," she answered.

"Then let him come to my place, it you wish.

When Estelle gave her hand for go night. Oakfell said, "This much at least of reward you will not deny me," and,

"Regret what?" Estelle looked up pressing his lips lightly upon it, rode away the very happlest man under the "That the Gascon gypsy girl has no

stars. cause for jealousy of you concerning "Oh. Odette!" sighed Estelle, sinking into a chair.

"Ah, my happy mistress, he love you! He loves you! And whose love could be like his?" said Odette, leaning over her.

"He did not say so," complain Estelle. "Bring my guitar." While the affectionate slave sat at

her feet Estelle plucked delicion chords from the instrument, and he voice rose clear and tender into the

perfumed night, singing: "In a garden lay a lute, Where a careless hand had flung it. One who onw it lying mute Took it up and strung it."

The whippoorwill and the warbler the cypress hushed to listen.

> CHAPTER XIL THE LAW SUPREME. BPTEMBER of the year 1800 was exceptionally bot and

the poor and suffering and has given Mississippl's tributaries was impracticable. The baked alluvies

"Let us not speak ill of the absent, his labor until he ran away but talk of other things. Be prepared institution of this suit. for unwelcome news from the city late on. Quiliebert will lose the suit."

"Why do you say that?" "Because I heard the arguments in the supreme court and thought 1 observed their effect upon the judges and the assembled lawyers. The whole matter is exceedingly distasteful to me, as you know; still I could not well decline my brother's invitation to be presout at the trial of the appeal. Zabourin

made a learned and forcible effort for Quillebert, quoting authorities and drawing deductions which appeared absolutely unanswerable. But Horace, with an case at which I marveled, met every proposition, and his irresistible picked it into shreds. He exlogic posed the sophistries of Zabourin's contention and flung them aside. With

childlike simplicity of language he made Loon's case so plain that every layman understood the principles on which it rested as thoroughly as did the most learned lawyer, and with the eloquence that comes of unaffected earnestness he held up the justice and

equity supporting the decision of Judge failleur. He appeared to carry every man within bearing of his voice, and when he concluded it seemed that all doubts of the righteousness of his case had been demolished. His peroration was beautiful and pathetic without being theatrical-in fact, was what they call a prose poem. I was as much amazed as any of his hearers could have been. I cannot divine when and

where he got all the wealth and variety of learning he displayed in that ad-Laure was interested, but not pleas ed, by Evariate's glowing account of his brother's brilliant and masterly ora-

"Where is M. Horace?" abe asked "He came up on the boat with you?" "No. Why?" "Ob, nothing. I only supposed he had

eturned with you and stopped at Estelle's. That is what he will do when he does come back." "Laure, why do you persist in such allusions. You surely know full well

bow they wound me." "Of course I do. But it is not to wound you. No; it is to make you see

dress.

who they are that care nothing for your happiness. That girl is as indifferent to you as the pearl whose beau ty she vainly affects. She reaches for fortune; you have none. She aspires to American indyship; you are a creek Stay with your kind, my friend. I will pay you best in the long run."

This speech was a whip cut to Bys riste's spirit, and words of chagrin and anger rose to his lips, yet he forced them back and, consummate actor that he was, gave no sign of his suffering. "You have not told me where your brother is," Laure said, fondling the

crescent lovingly. "I left him at New Orieans talking politics. One bears nothing else there now. The supporters of Breckinridge encourage Horace to run for congress dry even for the climate of and he is quite willing to do so, though Louisiana. Mavigation of the Mississippl's tributaries was cable. The baked alluvion race as being entirely between Mr.

"There is testimony in the record to show that Queyrouze and his heirs in-

tended that Leon should be free and some conversations in which he said he was free. The plaintiff, however, never asserted his freedom and never loft the service of the defendant until he absconded after the bringing of this suit. On the contrary, he admitted he was a slave to a person whom he

wished to bargain for him. "However desirous the beirs of Quey rouse may have been that the plaintiff should become free, their wishes alone could not make him so. This being s matter affecting the public order, i required the action of the public authorities before it could be brought about.

"It is apparent that in this contro versy it is a matter of no consequence who is the owner, whether Quillebert or the heirs of Queyrouse. The only question which we can consider is whether the plaintiff had acquired the status of a free person of color prior to the promulgation of the act of 1857. which now prohibits emancipation.

"It is quite clear that the plaintiff has never enjoyed his liberty for one week, much less the space of ten years. He has been all his life under the control of others, who have enjoyed the benefit of his labor. It matters not, so far as this controversy is concerned whether the defendent Quillebert has cted in good or bad faith or whether he has acted against the wishes of the heirs of Queyrouse. If the plaintiff cannot show the facts on which the law declares his emancipation or free tom, he must fall in his action.

"The judgment of the lower court which was in favor of the plaintiff. aust be reversed."

Oakfell with burning eyes read again shase words of the chief justice: "It is a matter of no consequence who is own-ec, whether Quillebert or the heirs of Queyroune." "It matters not whether the defendant Quillebert bas acted in good or bad faith or whether he acted against the wishes of the heirs of Quey ouse."

Bick at beart, be let fall the pape and lowered his bead, murmuring: "We finds his follow guilty of a shin Not estend like his own and, having perror To enforce the wrong, for such a worthy cause Booms and devotes him as his lawful proy." From his gloomy reflection he was recalled by the voice of Leon at the door,

saying: "Mr. Horace, are you sick? Is anything wrong?"

"Yes; I pever was so sick as now, and something has gone wrong. Leon, the suprems court has adjudged you a slave, the slave of Quillebert." "O merciful God!" Leon groaned,

clutching a chair for support. "Save me from that man, Mr. Horace, or kill

"Save yourself. Take a good horse from the stable and fly for your life. Never stop until you are where that human wolf cannot reach you. The cursed news may not be known to any one else in the parish for two days yet, and, if so, you will have that much start. Take this and go." Oakfell gave him a sum of money. to day I will prove I a

[TO BE CONTINUED.]

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ON A WHEEL the rider frequent

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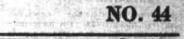
need not become a fixture upon your body. If they do it is your fault, for

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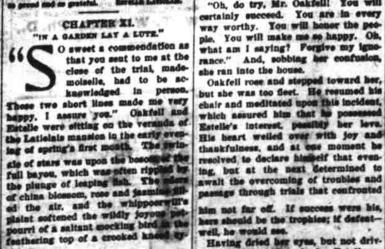
Those nearest Oakfell shook his hand

sheriff to take sufficient measures for the preservation of the decorum of this court and the public peace. I admonish you to leave this place quietly and disperse to your respective homes speedily. Do not bring disgrace upon our parish and misery upon some of our citizeus by an unseemly demon-mention of approval or disapproval of want has just occurred. I am the friend of all of you, and as such I give

this advice." The words from the judge had the effect be wished. The courtroom emp-tied slowly and noiselessly. The sherif had stepped near to Quillebert and Pratiena and said in a low tone: "I know what I am talking about. Stay where you are until all the others are gone."

They beeded his warning. As Oakfell was mounting his horse to ride sway with Father Grbs a serv

ant of Mana, Norsau ran to him and gave him this note: ... Gad has betricoded you and your erens. 1 on trust."



him not hir on. a popular; if defeat-well, he would see. Having dried her eyes, but not driv-en the red from her checks, Estelle re-turned, iseding Odette by the hand,

and said: "She asks to be allowed to come and thank you, Mr. Cakfell, for your brave defense of bar fance." "I require no thanks. I have al-ready any seward, I hope, for what I did in Leon's case," said Oakfell, look-ing smilously at Estella, whose syse burbed quickly away.

"The nisters of the convers section have childed me for boldness in section these lines to you," Estalle said, "set i could not restrain myself. And, his, Oakfell, I could not new serviced your defeat. I am esta I could not. I do nust not judge use an servereig is the nistere for my forwardness of space." "The sisters are assuredly pool in the restion and good in deed, but their se-clusion undig them is judge of the proper rules of life which have relation to the thoughts, desires and impulses to the thoughts, desires and him to the thoughts, desires and him of the great human family. The tional struggle through which you

to the thoughts, desires and hupplings i would not know how," the girl orted, of the great huppen family. The ener tional struggie through which you have passed in consequence of this lawsuit he plous sums could not understand and he as long as I can repeat a praygr." The what, Laurer Say it a "Forgive me, my friend. To no as long as I can repeat a praygr." I would not anking his has

spect the doctress in the future more dust, which rose in clouds at the disthan I have done in the past." Oakturbance of a dog's trot. The stiff fell concluded he could not safely dislands were of stony barduess. Creamy cuss the peculiar powers attributable white lay the cotton fields on either side of the bayous to the green borders to the old woman, but was loath jus yet to abaudon the granddaughter as a of the moss hung swamps, and the topic and added: "Laure was decidedly beds of the deep, yawning bayous a campaigner against us in the suit. themselves could almost be traversed wonder why she felt so interested."

dry shod. "There is a strange sympathy between It was afternoon at the close of the her and M. Quillebert, I have heard my month when Evariste, attired in the grandfather say, and M. Quillebert has latest of the city's modes, alighted sure control over the persons whom he from his buggy at Mother Deshau takes into friendship. I dread his intelles' gate. Though he had driven the long distance from Red River landing, fuence over my poor grandfather and daily pray God to destroy it. He is a on the Mississippi, where he diset wicked man, whose smile is as dangerbarked from the steamboat on his re turn from a visit to New Orleans, he "Should the supreme court sustain appeared neither travel stained not the judgment in Leon's case I have reaheated. Rather he looked spotless and

son to believe Quillebert will guit this cool. Laure, in a gown of stuff which parish." Oakfell said, "and then your might have been woven of the spider's grandfather will be released from the web and which clung lovingly to her perfect figure, welcomed him with a warmth of manner which would have "If the supreme court sustains the

"Can indgment!" Estelle exclaimed. proved fatal to any of her 20 Gas conoid admirers. Her beauty, though dark, was rich, dassling and dangerous "There should be no doubt, yet the judges of the high tribunal are only and she knew it. She realised the pow er of a smile made up of glistenin teeth and parted carminelips. Theglin men, subject to buman passions, preju dices and imperfections of judgment ing of deep brown eyes, the arch pess of a pretty bead and the springing step of dainty fest were a poss of health and vitality of her own composihave no absolute reliance upon any future event which depends upon the mental operations of men. Quillebert has taken an appeal and, I am informtion. But the narrow forebead an ed, will retain a leading member of the nouth spoke as much of will as of city har to prosecute it. However, the

case cannot be heard until fall, and much may happen before that." She led Evariate to the shaded vers "Yes." said Estelle spiritedly, "you da and, serving him a draft of refresh may be selected as a member of con ing wine, said:

gress at Washington, as I have heard "Now tell me, great traveler that yo re, all about the wonders of the grand city, for you know I have never "It is true that some of my very part that friends talk in that rein, and I cost

fees to you, mademoiselle, that I am "Oh, no," he replied. "I saw no won ders except miles of steaming streets and swarms of sweltering people." "Nothing short of Paris for you, deem me deserving of the honor and

"Oh, do try, Mr. Oakfell! You will then ?" said Laure. certainly succeed. You are in every way worthy. You will honor the peo-"Well, I might comp na or possibly Nice. But see, Laure, what I bring you." Evariste took from his pocket a small packet, opening which she discovered a dainty Russia You will make me so happy. Oh. what am I saying? Forgive my ignoionther and satin lined case, with gold-on initials "L. L." iniaid upon it and within it the watch given her by Quille-

ert, which Evariete had taken to b spaired in New Orleans. Lifting the watch, she discovered at the end of the hain a charm, a gold creacent studded with wine red rubles and sparkling dis

Bibe could not speak her delight at once, but looked in an ecsissy from the jewel to the young man and from him to the jewel-ber face would then have been an artist's treasure-until words came to her, when she exclaimed:

"From you to me?" "If you will accept," he said. "I do accept," she cried, "and shall

ine this crescent as the most procion my possessions. But what will Es of my pos telle my T

"What will Quillebert say?" returne Evariste, with some shade of irritation in his voice. "Why?" asked Laure, startled.

"He gave you the watch and cha he said.

"And she gave you the"- She che "I did not mean to thank you, sir. I would not know how," the girl eried, ed herself and bit her lip in veration. "The what, Lapre? Say it and let it

"Forgive me, my friend. Yes, let it

coin's candidacy is laughed at." "If the lawsuit should be decided against M. Horace, he will be bitterly opposed in this parish," Laure

> "That is a very big if." Evariste re plied. "And if Lincoln should win a great

many plans will be upset. I know nothing of politics, but they say these things on the highlands." Laure smiled apologetically. "You must make that "if" still larger,

Laure. The great heads in the city will hardly admit that Lincoln is running." "I have heard my grandfather say there were just two smart men in this parish-Baldeuino and Quillebert--024 gifted as if from God, the other as if by the devil."

"Well?" queried Evariste. "I have also heard that Baldouino eald not long age that if both Douglas and Breckinridge are candidates to the and Lincoln will be elected president,

and Quiliebert has said that he will win the suit in the supreme court." Laure had spoken with a positivenes that was not without its effect upo Evariete, and as be pussued his jour-ney homeward he seriously revolved in his mind these possibilities and their bearing upon his own aims and inter-

Oakfell returned a week later, and his supporters set actively to work t

secure a favorable delegation to the convention called to met at Baton Rouge on the 18th day of October. They Well, it's a good sign for Rouge on the 15th day of October. They were successful, though considerable strength was developed agnipst him. It was believed he would receive the nomination, which would be tanta-mount to election. His friends proud-ly anticipated the distinction his career in congress would give to the parish and had agreed upon three representa-tive citizens to accompany him in a short canvass of the district after the desvention. He had spant a happy Scott's Emulsion. The body has to be repaired like other things and Scott's Emulsion is

the medicine that does it.

These poor bodies wear out from worry, from over-work

convention. He had spent a happy hour with Estelle and was sitting in from disease. They get thin

hour with Estelle and was sitting in his plantation office thinking of her when Leon brought letters and papers from New Orleans just arrived by way of the Red River landing. One bulky envelope hore the eard of a profes-sional friend of whom he had request-ed the earliest possible news of the court's judgment. The letter maid: "I coursed a score to be made of the and weak. Some of the new ones are not well made-and

all of the old ones are racked

rom long usage.

Scott's Emulsion fixes all "I caused a copy to be made of the opinion handed down by the supreme court this morning in the suit of Leon Queyroune versus Quillebert for free-dom and mull it by today's boat in kinds. It does the work both inside and out. It makes soft boncs hard, thin blood red, order that you may know the result before tomorrow's newspapers can weak lungs strong, hollow reach you. The chief justice was the organ of the court and had the con-

places full. Only the best macurrence of three of the associat terials are used in the patching One justice, as you will notice, dis-Gented." Quivering with interest, he read the and the patches don't show

through the new glow of health. following dictum of the highest court of the state, penned by its chief justice "The plaintiff, with his mother an No one has to wait his turn,

"The plaintiff, with his mother and other children, were inventoried as be-You can do it yourself-you

ether children, were inventoried as be-longing to the estate of Querrouse. One Poydre, acting as agent for the heirs, made sale of the property, with the esception of the boy Leon. He sold the mother of the plaintiff and her oth-ar children to the defendant Quillebert. Leon himself was expressly exempted from the sale, being then in the keep-ing of one Mrs. Wyley, to whom he had been sent by the expressed wish of Querrouse. About nine years after the defendant obtained possession of the plaintiff and enjoyed the benefit of and the bottle. This picture represents the Trade Mark of Scott's Emulation and is on the sempler of every bettle. Send for free sample. ٤. SCOTT & BOWNE.

